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July 3, 1997

RECEIVED

JUL - 3 1997

#### BY HAND DELIVERY

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

Re: MM Docket Nos. 91-221, 87-8, 94-150, 92-51/and 87-154

Dear Mr. Caton:

Enclosed herewith on behalf of our client, TV 55, LLC, licensee of WFVT(TV), Channel 55, Rock Hill, South Carolina are an original and four copies of its Response to LMA Inquiry, which the Commission requested in its Public Notice, DA 97-1246 released June 17, 1997.

Please direct inquiries concerning this response to the undersigned.

Respectfully submitted,

James K. Edmundson

JKE/kki

cc(w/encl.): Paul J. Feldman, Esq.

Counsel for Capitol Broadcasting Company, Inc.

75691-1/199500-1

(704) 398-0046 Fax (704) 393-8407 Rock Hill (803) 324-5550

July 2, 1997

Mr. William F. Caton Acting Secretary Federal Communications Commission Room 222 1919 M Street, NW Washington, DC 20554

Re: MM Docket Nos. 91-221, 87-8, 94-150, 92-51 and 87-154

Dear Mr. Caton:

There is enclosed herewith the response of TV55, LLC, licensee of WFVT (TV), Rock Hill, South Carolina, to the Commission's Public Notice, DA 97-1246, released June 17, 1997.

Please direct inquiries concerning this response to our communications counsel.

Sincerely,

H. Wharton Winstead

Hwwite

President

#### WFVT Response to LMA Inquiry

By <u>Public Notice</u>, DA 97-1246, released June 17, 1997, the Commission sought further information regarding television local marketing agreements (hereafter LMA) between commercial television stations. TV 55, LLC (hereafter TV 55), licensee of television broadcast station WFVT, Channel 55, Rock Hill, South Carolina, has an LMA with Capitol Broadcasting Company, Inc. (hereafter Capitol), the parent of WJZY-TV, Inc., licensee of WJZY, Channel 46, Belmont, North Carolina. The information set forth below is keyed to the numbered requests set forth in the Commission's <u>Public Notice</u>.

# LMA DATA RE: WFVT(TV), Rock Hill, South Carolina and WJZY(TV), Belmont, North Carolina

		Brokered Station	Brokering Station
1.	Licensee:	TV 55, LLC	WJZY-TV, Inc., a subsidiary of Capitol Broadcasting Company, Inc.
1	Call Letters:	WFVT(TV)	WJZY(TV)
	Channel:	55	46
	Community of License:	Rock Hill, SC	Belmont, NC
2.	DMA:	Charlotte, NC	Charlotte, NC
	Rank:	28	28

<sup>27</sup> Capitol is filing a separate response to the LMA inquiry.

#### 3. Degree of Signal Contour Overlap:

Based on a review of the WFVT and WJZY coverage maps by WJZY's Chief Engineer, it has been determined that the City Grade, Grade A, and Grade B contours of the two stations are almost identical.

#### 4. Date on Which Parties Entered Into Agreement:

Capitol entered into an LMA on June 6, 1994 with the then-permitte of Channel 55, Family Fifty-Five, Inc. (hereafter Family Fifty-Five). WFVT was subsequently constructed and commenced operation on October 21, 1994. On July 22, 1996, Family Fifty-Five assigned WVFT and its rights and obligations under the LMA to TV 55.

#### 5. Term of Agreement:

The LMA commenced on June 6, 1994, and continues through five years after commencement of WFVT program test authority, with a renewal at Capitol's discretion for an additional five year period. The Agreement <u>inter alia</u> automatically terminates if WFVT is sold to Capitol.

#### 6. Percentage of Brokered Hours:

98.8 percent of WVFT's weekly broadcast hours are brokered to WJZY.

#### 7. Network Affiliation:

The Brokered Station (WFVT) is an affiliate of the WB Network. The Brokering Station (WJZY) is an affiliate of the UPN Network.

# 8. Nielsen Audience Share Mon.-Sun. 9 a.m. - Midnight:

		Brokered Station	(WFVT)	Brokering	Station	(WJZY)
May	97:	3			6	
Feb.	97:	4			6	
Nov.	96:	3			6	

#### 9. Other Information:

TV 55 acquired the WFVT license and assets, effective July 22, 1996, pursuant to the prior consent of the Commission (BALCT-960424IA, granted June 28, 1996; FCC Report No. 43775, released July 8, 1996). The LMA between the prior WFVT licensee, Family Fifty-Five, and Capitol, the corporate parent of WJZY-TV, Inc., was filed as Appendix A, Exhibit 5 to the Assignee's section of the assignment application. The LMA was reviewed by the FCC staff in connection with the processing of the assignment application and a termination provision was deleted at the staff's request (see BALCT-960424IA, staff letter date stamped June 28, 1996).

WFVT is the sole commercial television station licensed to serve Rock Hill, South Carolina (1990 population - 41,643). WFVT operates 24 hours a day, except for occasional downtime for maintenance on Mondays, during the period 12 midnight - 6 a.m. WFVT is affiliated with the Warner Brothers Network and provides 16 hours per week of WB programming to the Charlotte market, including seven hours per week in prime time.

WFVT currently broadcasts five and a half hours per week of core Children's Programming. Its Form 398 for the first quarter 1997 is annexed hereto as Appendix A. The station also broadcasts quarterly a children's special entitled In Our Classroom. WFVT carries the Charlotte Hornets, telecasting 13 games in the 1996-97 season.

WFVT broadcasts a minimum of 70 public service announcements a week. The Channel 55 licensee also originates a weekly half hour public affairs program, Focus 55, devoted to issues of concern to the Rock Hill community. The 30 minute weekly program is taped in Rock Hill, as a convenience to Rock Hill community leaders, and is broadcast on WFVT on Sundays at 7 a.m. and Mondays at 1 p.m. A list of program subjects for the period July 1996 - March 1997 is annexed hereto as Appendix B.

WFVT and WJZY have an excellent working relationship. Under the LMA agreement, WFVT is furnished space at the WJZY studio for use as a main studio for WFVT as well as office space sufficient to accommodate Channel 55's General Manager and Administrative Assistant. WJZY also provides WFVT with tape machines, cameras and other equipment sufficient to produce original public interest programming without cost to the Channel 55 licensee.

WFVT and WJZY have also joined together in a project to serve young viewers called "STV...Student Television". The purpose of STV is to provide schools in the service areas of the stations with positive educational messages, e.g., healthy study habits, stopping school violence, energy conservation and personal responsibility. The stations hold bi-annual meetings with area educators to determine subjects of importance to be addressed by STV. The stations also produce STV Magazine, a 12 page publication distributed in area schools three times a year.

A more complete description of the STV project is annexed hereto as Appendix C.

APPENDIX A

# CHILDREN'S PROGRAMMING QUARTERLY REPORT JANUARY - APRIL 1997

TV 55, LLC Station: WFVT - TV Rock Hill, South Carolina

April 10, 1997

FCC 398 Submission Results Page 1 of 1

### FCC 398 Submission Results

FCC 398 Filing for Call Sign WFVT for quarter ending 03/31/1997

#### Accepted!

Confirmation number: 8

#### Errors and informational messages:

WARNING: Question 6, Program #1, Title is blank, other values ignored WARNING: Aired Sponsored Program #1, Name is blank, other values ignored WARNING: Question 9, Program #1, Title is blank, other values ignored

Federal Communications Commission Washington D.C. 20554

Approved by OMB 3060-0754

## FCC 398 Children's Television Programming Report

Call Sign	Channel	Number	Comr	nunity of L	icense						
	<b></b>	<del></del>	City			State	Col	inty		ZIP	Code
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√55, LLC.	<del></del>										
Network Affiliation:		Nielsen DMA	A						one Page Addres	s	
NB		Charlotte						plicable)			
Independent							-   w	w.wb55.co	m		
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Page 2 of 7

ge of Target Child	Audience: fro	m 6	years to	11	years						
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Age of Target Child			years to		years						
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Title of Program #4										Origination	
Gladiators 2000								1		Syndicated	
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Age of Target Child	Audience: fi	rom 6	years to	11	years						
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Title of Program #5	:						_			Origination	
Nick News				-						Syndicated	
Days/Times Progra	m Regulariy	Scheduled				Total times aired		Number of Preemptions	If preemp and time	ted and reschedule	i, list date
Monday 2:30p						8		0			
Length of Program	30	(minutes)							]		
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k News brings the rent events.	e stories of	toda	y to child	ren a to	pical ne	ws show d	lesigned to ed	ucate kids abou			
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6. Complete the following for each program that you aired during the past three months that is specifically designed to meet the educational and informational needs of children ages 16 and under, but does not meet one or more elements of the definition of Core Programming, See 47 C.F.R. Section 73.671. Complete chart below for each additional such educational and informational program.

Title of Program #1:							Origination		
							Syndicated		
Dates/Times Program	Aired:		Total times aired		Number of Preemptions	If preempte and time a	ed and rescheduled aired.	, list date	
					0				
Length of Program:		(minutes)	 	-					

FCC 398

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				$\neg$		r	rigination		
Gladiator's 2000							Syndicate	ed	
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<sup>8.</sup> Does the licensee publicize the existence and location of the stations's Children's Television Programming Reports (FCC • Yes No 398) as required by 47 C.F.R. Section 73.3526(a)(8)(iii)?

<sup>9.</sup> List Core Programs, if any, aired by other stations that are sponsored by the licensee and that meet the criteria set forth in 47 C.F.R. Section 73.671. Also

indicate whether the amount of total Core Programming broadcast by another station increased.

ame of Program		Call Letters of Stat Sponsored Program		ring	Channel Nun Sponsored Pr			ion Air	ing	Did to	tal prog	ramming Incres	ise?
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Address					Internet Mai	l A	ddress (i	f applic	able)				
3501 Performance R	d.				dahlin@wj	zy.c	com						
City					State								
Charlotte					NC	٦							
<u> </u>													
11. Include any other					o consider in e				•				
use this space for supple this quarter or plan to a	ir during the n	ext quarter, or any	existing	or proposed									
of such programming to WFVT's "Club STV" i					ce children ha	rte	etuden	te De	ring **				
quarter ended March	31, 1997,												
WFVTs Jeff Johnson speaker who covers t		vailable to schools	as pa	rt of this ou	treach progra	ım.	Jeff is	a talen	ted				
Why school is impor WFVTs Club STV is	tant," "How to	Study," "Why it's	cool to	be smart,"	and teaches	роз	sitive se	elf-este	em.				
by 25 area school sys	stems. In first	quarter 1997 Jeff	made	the following	ng visits to sol	hoo	ls in the	e DMA	:				
1/7/97 Featured spea	iker at Lincoli	n County Dare gra	quation	n for 5th an	agers.								
WILLEUL FALSES	TATEMENT	rs made on th	IS FOI	RM ARE P	UNISHABLE	B	Y FINE	AND/	OR I	IPRIS	ONME	NT (U.S. CO	OF., T

VILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Name of Licensee	le:		
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L'IMITE OF THEOTHER	131EIELULI	e toiny toi binned tersioni	

FCC 398 Page 7 of 7

TV55, LL0	C.				
Date					
4/8/97		·			
		أخور الوسند والمواقد ومثار بوسائه وي	<u></u>		FCC 398 January 1997 (1.0) (end)
Electronic	: Filing Operations				
	Check Data	Run checks to loc	ok for data errors.		
	File 398	Send the values to	o the FCC as an <u>FCC</u>	398 filing.	
	Reset	Reset data to last	updated values.		
	Update Local Data			an be saved locally with your b ture by using File/Open File.	rowser's File/Save As command). This will
	Report to Print	Get a version of	this FCC 398 Report	for <u>printing</u> .	
		Get <u>Electronic Fi</u> Get <u>Official FCC</u>	iling User's Manual 398 Instructions		

WFVT's "Club STV" is an in-school outreach program designed to make children better students. During the quarter ended March 31, 1997,

WFVT's Jeff Johnson was made available to schools as part of this outreach program. Jeff is a talented speaker who covers topics like

"Why school is important," "How to Study," "Why it's cool to be smart," and teaches positive self-esteem. WFVT's Club STV is endorsed

by 25 area school systems. In first quarter 1997 Jeff made the following visits to schools in the DMA:

1/7/97 Featured speaker at Lincoln County Dare graduation for 5th graders.

1/8/97 Featured speaker at Faith Christian School

1/16/97 Keynote Speaker at Chester County Career Day for High School Students

1/21/97 Featured guest on Winding Springs Elementary "Today" show

1/22/97 Met with students at Catawba Springs Elementary to discuss the role of television in schools

1/28/97 Featured speaker at Shilo Elementary School's Awards Day

1/28/97 Featured speaker at South Middle School "Right Moves For Youth" Dinner

1/29/97 Featured speaker at Endy Schools Achievement Awards

2/4/97 Featured speaker at Oakboro Schools mid-quarter pep-rally

2/4/97 Featured speaker at Clear Creek Elementary Awards day

2/6/97 Featured speaker at Lincoln Heights mid-quarter pep-rally

2/12/97 Featured speaker at Northridge Middle's black history month activities

2/18/97 Featured reader at Pinewood Elementary's reading day

2/19/97 Lead discussion group of 8th & 9th graders during black history month activities at Albemarle Road Middle School

2/20/97 Featured speaker at Lingerfeldt Elementary as part of black history month studies

2/24/97 Featured reader at Statesville Road Elementary School

3/6/97 Featured speaker at Rama road elementary school's minority achievement club

3/12/97 Featured speaker at Southwest Jr. high during their spirit week

3/20/97 Featured speaker at Indian Trail School's Career Day

In February WFVT distributed the "STV Magazine" to approximately 170,000 students

throughout the area. The STV magazine is filled with educational and reading information

designed to serve students in grades K-6. The content of the STV magazine is approved by

area school systems and is a part of the STV program, which is endorsed by 25 area school

systems for its service to children.

APPENDIX B

DURING THE PRIOR QUARTER THE FOLLOWING 30-MINUTE PUBLIC AFFAIRS PROGRAMMING WAS BROADCAST TO SERVE THE NEEDS AND CONCERNS OF THE ROCK HILL COMMUNITY BASED ON ASSCERTAINMENTS OF COMMUNITY NEEDS AND PROBLEMS CONDUCTED OVER A 100-PERSON INTERVIEW.

#### FOCUS 55

#### **JANUARY - 1997**

SUNDAYS AT 7:30AM AND MONDAYS AT 1:00PM

SUNDAY - 1/5/96	#110-ECONOMIC DEVELOPMENT
MONDAY - 1/6/96	#110-ECONOMIC DEVELOPMENT
SUNDAY - 1/12/96	#113-CONGRESSMAN JOHN SPRATT
MONDAY - 1/13/96	#113-CONGRESSMAN JOHN SPRATT
SUNDAY - 1/19/96	#114-LAND TRUSTS
MONDAY - 1/20/96	#114-LAND TRUSTS
SUNDAY - 1/26/96	#115 TEEN SMOKING
MONDAY - 1/27/96	#115-TEEN SMOKING

#### FEBRUARY - 1997

FEBRUARY - 1997	
SUNDAY - 2/2/96	#116-MENTAL HEALTH
MONDAY - 2/3/96	#116-MENTAL HEALTH
SUNDAY - 2/9/96	#117-RECYCLING
MONDAY - 2/10/96	#117-RECYCLING
SUNDAY - 2/16/96	#112-AFRICAN-AMERICAN HISTORY
MONDAY - 2/17/96	#112-AFRICAN-AMERICAN HISTORY
SUNDAY - 2/23/96	#118-SCHOOL-TO-WORK
MONDAY 2/24/96	#118-SCHOOL-TO-WORK
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#### MARCH - 1997

SUNDAY - 3/2/96	#120-ELECTRIC DEREGULATION
MONDAY 3/3/96	#120 ELECTRIC DEREGULATION
SUNDAY - 3/9/96	#119-SERVING THE POOR
MONDAY - 3/10/96	#119-SERVING THE POOR
SUNDAY - 3/16/96	#122-ARTS FUNDRAISING
MONDAY - 3/17/96	#122 ARTS FUNDRAISING
SUNDAY - 3/23/96	#121-DOWNTOWN DEVELOPMENT
MONDAY - 3/24/96	#121-DOWNTOWN DEVELOPMENT
SUNDAY - 3/30/96	#123-AIDS AWARENESS
MONDAY - 3/31/96	#123-AIDS AWARENESS

AS AN ADDED PUBLIC SERVICE THIS SHOW IS PROVIDED TO THE CN2, THE LOCAL CABLE STATION IN ROCK HILL. CN2 BROADCASTS THE PROGRAM ON WEDNESDAYS AT 11:30 AM.

DURING THE PRIOR QUARTER THE FOLLOWING 30-MINUTE PUBLIC AFFAIRS PROGRAMMING WAS BROADCAST TO SERVE THE NEEDS AND CONCERNS OF THE ROCK HILL COMMUNITY BASED ON ASSCERTAINMENTS OF COMMUNITY NEEDS AND PROBLEMS CONDUCTED OVER A 100-PERSON INTERVIEW.

#### FOCUS 55

#### OCTOBER - 1996

SUNDAYS AT 7:30AM AND MONDAYS AT 1:00PM

SUNDAY - 10/6/96 #03-CATAWBA INDIAN NATION MONDAY - 10/7/96 #03-CATAWBA INDIAN NATION SUNDAY - 10/13/96 #101-AGING MONDAY - 10/14/96 #101-AGING SUNDAY - 10/20/96 #102-AT-RISK YOUTH MONDAY - 10/21/96 #102-AT-RISK YOUTH SUNDAY - 10/27/96 #103-WINTHROP UNIVERSITY MONDAY - 10/28/96 #103-WINTHROP UNIVERSITY

#### NOVEMBER - 1996

SUNDAY - 11/3/96 #104-HISTORIC BRATTONSVILLE MONDAY - 11/4/96 #104-HISTORIC BRATTONSVILLE SUNDAY - 11/10/96 #102-AT-RISK YOUTH MONDAY - 11/11/96 #102-AT-RISK YOUTH #105-VIOLENCE AGAINST WOMEN SUNDAY - 11/17/96 MUNDAY - 11/18/96 #105-VIOLENCE AGAINST WOMEN SUNDAY - 11/24/96 #106-CATAWBA FESTIVAL MONDAY - 11/25/96 #106-CATAWBA FESTIVAL

#### DECEMBER - 1996

SUNDAY - 12/1/96 **#107-FORGOTTEN PEOPLE** MONDAY 12/2/06 #107 FORGOTTEN PEOPLE SUNDAY - 12/08/96 #108-NEIGHBORHOODS MONDAY - 12/09/96 #108-NEIGHBORHOODS SUNDAY - 12/15/96 #109-YORK TECHNICAL COLLEGE MONDAY - 12/16/96 #109-YORK TECHNICAL COLLEGE SUNDAY - 12/22/96 #111-CITY MANAGEMENT MONDAY - 12/23/96 #111-CITY MANAGEMENT SUNDAY - 12/29/96 #112-AFRICAN-AMERICAN HISTORY MONDAY - 12/30/96 #112-AFRICAN-AMERICAN HISTORY

AS AN ADDED PUBLIC SERVICE THIS SHOW IS PROVIDED TO THE CN2. THE LOCAL CABLE STATION IN ROCK HILL. CN2 BROADCASTS THE PROGRAM ON WEDNESDAYS AT 11:00 AM.

DURING THE PRIOR QUARTER THE FOLLOWING 30 MINUTE PUBLIC AFFAIRS PROGRAMMING WAS BROADCAST TO SERVE THE NEED AND CONCERNS OF THE ROCK HILL COMMUNITY BASED ON ASSCERTAINMENTS OF COMMUNITY NEEDS AND PROBLEMS CONDUCTED OVER A 100 PERSON INTERVIEW.

#### FOCUS 55

#### JULY - 1996

SUNDAYS - 11:30 PM AND MONDAYS - 12:00 PM

MONDAY - 07/01/96 #17 ASSCERTAINMENTS SUNDAY - 07/07/96 #21-JUDICIAL REFORM MONDAY - 07/08/96 #21-JUDICIAL REFORM #10-FUTURE OF OUR AIRPORTS SUNDAY - 07/14/96 MONDAY 07/15/96 #10-FUTURE OF OUR AIRPORTS SUNDAY - 07/21/96 #19-CHAMBER OF COMMERCE MONDAY - 07/22/96 #19-CHAMBER OF COMMERCE SUNDAY - 07/28/96 #09-SUCCESS STORY/DRUGS MONDAY - 07/29/96 #09-SUCCESS STORY/DRUGS

#### **AUGUST - 1996**

SUNDAY - 08/04/96 #23-COMMERCIAL DEVELOPMENT #23-COMMERCIAL DEVELOPMENT MONDAY - 08/05/96 SUNDAY - 08/11/96 #16-ECONOMIC DEVELOPMENT/TRAINING MONDAY - 08/12/96 #16-ECONOMIC DEVELOPMENT/TRAINING SUNDAY 08/18/96 #15-JUDICIAL REFORM #15-JUDICIAL REFORM MONDAY - 08/19/96 SUNDAY - 08/25/96 #05-DRUG/ALCOHOL ABUSE AMONG TEENS MONDAY - 08/26/96 #06-DRUG/ALCOHOL ABUSE AMONG TEENS

#### SEPTEMBER - 1996

SUNDAY - 09/01/96 #22-VOTING TRENDS

MONDAY - 09/02/96 #22-VOTING TRENDS

SUNDAY - 09/08/96 #12 HOMELESSNESS

MONDAY - 09/09/96 #12-HOMELESSNESS

SUNDAY - 09/15/96 #14-DOWNTOWN REVITALIZATION

MONDAY - 09/16/96 #14-DOWNTOWN REVITALIZATION

#### SUNDAYS AT 7:30AM AND MONDAYS AT 1:00PM

SUNDAY - 09/22/96 #23-ROCK HILL CITY GOVERNMENT MONDAY - 09/23/96 #22-ROCK HILL CITY GOVERNMENT SUNDAY - 09/29/96 #11-COMMUNITY CLEANUP #11-COMMUNITY CLEANUP

APPENDIX C



Student Television, the nation's only in-school family marketing program...

- The STV Website (studenttv.com) with underwriter icons, topic information, and links to your own website.
- The in-school magazine, featuring a 1/2 page underwriter section. Delivered to 200,000+ students in February, May and November.
- The STV database...100,000+ members!
- In-school videos, including your PSAs and underwriter identification.
- Topic exclusive sponsorship of "In Our Classrooms", a one hour public affairs program for parents, airing Sundays 6-7PM and repeated in the schools and on the schools' cable channel.
- On-air vignettes, exclusive in your category, airing on WJZY (UPN) and WB55. The vignettes air in programs targeting children (The Disney Afternoon and UPN Kids) and their parents (Full House, Family Matters, America's Funniest Home Videos, Mad About You, Saturday morning sitcoms, etc.).
- In-school and event **appearances** on your behalf by Jeff Johnson, the popular STV spokesperson.
- The STV **Minigrant** competition; tax deductible and paid directly to the schools.



April 1997 Issue

www.studenttv.com

WJZY46

# INSIDE:

- WIN A FAMILY
   TRIP FOR FOUR
   TO A DUDE
   RANCH!
- LEARN ABOUT THE WILD, WILD WEST!



CAROLINA